

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, April 10, 2012**  
**7:30 p.m. – 8:29 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Catlin, Dennis, Stulich, Day, Afzali and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Student Liaison John Natalizio.

Mayor Fellows opened the meeting at 7:30 p.m. Councilmember Mitchell led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Mitchell and seconded by Councilmember Day to adopt the minutes of the Regular Meeting of March 27, 2012. The motion passed 8 – 0 – 0.

**Announcements:**

Councilmember Kabir said the North College Park Citizens Association would meet on Thursday, April 12 at 7:30 p.m. at Davis Hall. Additionally, the Committee for a Better Environment will hold a community clean-up on Saturday, April 14 beginning at 9:30 a.m. on Narragansett Parkway.

Councilmember Wojahn said there is another clean-up opportunity on Saturday, April 21 at 9:00 a.m. for Earth Day. Later that day there will be an Earth Day festival at Duvall Field.

Councilmember Dennis said the Lakeland Civic Association would have their monthly meeting Thursday, April 12 at 7:30 p.m. at the Community Center.

**Acknowledgement of Newly Appointed Board and Committee members:** Mayor Fellows recognized Dan Blasberg and Matthew Cardoso who were recently appointed to the Citizens Corps Council.

**Proclamation:** Mayor Fellows read the Arbor Day proclamation. Arbor Day will be celebrated in the City on Wednesday, April 18 with a special planting at the Muskogee Playground.

**Amendments to the Agenda:** None.

**City Manager's Report:** Mr. Nagro reminded Council about the Saturday budget Worksession, announced the rescheduled Four Cities meeting will be held on May 10 in New Carrollton, and that the College Park City-University Partnership is hosting a special Worksession for Council on Wednesday, April 25 to review the implementation strategy and metrics for the University District Vision 2020. The Public Works yard will be open the remaining Saturdays in April for spring clean-up.

**Student Liaison's Report:** John Natalizio remarked that the SGA is establishing an Executive Team for the Community Service initiative to create permanent, continuing community service in the College Park area in partnership with student groups. He continues to work on the living-off-campus "survival guide."

**Comments from the Audience on Non-Agenda Items:** None.

**Consent Agenda:** None.

**Action Items:**

**12-G-51 Motion to acknowledge presentation of two petitions to amend the City Charter, to refer the petitions to the Supervisors of Elections pursuant to §C5-11 of the City Charter, and to refer the said petitions to the City Attorney for a legal opinion as to whether the subject matter of each petition is appropriate for a charter amendment.**

**A motion was made by Councilmember Afzali and seconded by Councilmember Stullich that the Mayor and Council acknowledge presentation of two petitions, one entitled "Proposed Amendment to the City Charter adding the following language to the City Charter: Article XI. Sec. §C12-6 Non-Discrimination in Housing and Rental Laws" and the second entitled "Proposed Amendment to City Charter: Article X, Sec. §C10-12 Property Tax Limitation" on March 22, 2012; that said petitions be referred to the Supervisors of Elections pursuant to §C5-1 of the City Charter, and that the City attorney be requested to provide a legal opinion as to whether the subject matter of each petition is appropriate for a charter amendment and is otherwise legally sufficient.**

Councilmember Afzali said this is a housekeeping matter based on requirements in our City Charter.

**Jim Mullins, 5103 Kenesaw Street:** He hopes that these initiatives can get out to the public so the public can give their input.

**Ryan McCulley, 4904 Osage Street:** He has been a student and a resident and is now a landlord in Berwyn. These petitions are a way to level the playing field for student residents and wants to make sure the interests of students are taken into account and that they aren't forced to live in high-rises.

**James Donley, 14605 Locustwood Lane, Silver Spring, MD 20905:** He is a real estate agent and landlord in College Park and distributed market data and said that rent control has cast a pall on the local real estate market.

**Mary Lou Miller, 4603 Knox Road:** She is concerned that when she sells her house it may not be worth as much as it could be because of rent control. It is not fair that the high-rises on Route 1 are not subject to rent control. Citizens should have the right to determine whether they want rent control.

**Dave Morrison, 7003 Dartmouth Avenue:** Encouraged the City Council to consider retracting rent control and said it is a foolish idea that has lowered living conditions, is a bad idea for the landlords, gives fewer options to the tenants, and accounts for a shortage of detached houses to rent. There is no reason for a government to intrude in a private contract between landlord and tenants.

Councilmember Wojahn said that the amendments contained in these petitions have very little to do with rent control. One would limit the City's ability to increase the amount of revenue it receives. He appreciates that members of the Prince George's Property Owners Association have become more involved in the community, but this sort of action hurts our ability to work together. When the issues were discussed at the North College Park Citizens Association, not a single person was in support of these charter amendments. He is confident that this won't pass.

Councilmember Afzali believes the proposed amendments would be defeated if they make it to the ballot. Everyone with long-term interest in the City is united against them. It is odd that they are submitted now since this is the year when the rent stabilization ordinance could sunset and that decision hasn't been made yet. One of the amendments has nothing to do with rent stabilization. The wording is disingenuous and misleading.

Councilmember Stullich said the "non discrimination" referendum would prohibit the City from making otherwise lawful distinctions in the treatment of rental vs. owner occupied properties as well as between rental houses and apartment buildings. Whatever the City does in terms of regulating rental housing would have to be applied equally to owner occupied houses. That would hamper the City's ability to enforce fire codes, rules against overcrowding and basic upkeep requirements. The City currently has tax break programs for owner occupied properties: the homestead property tax credit and the homeowner's property tax credit. It appears that those tax credits would not be available to homeowners unless they were available to rental homes as well. This referendum would result in shifting the tax burden to homeowners, which is a good thing from the perspective of landlords, but not from the perspective of homeowners. The "property tax limitation" referendum would permanently freeze the City's total property tax revenues – not just the rate, but the total levy – at the fiscal year 2011 level. That would prevent the City from reaping the benefit of an expanding commercial tax base and from keeping pace with inflation. Over time this would force cuts to core services. That is why so many elected officials and informed citizens are opposed to this referendum. A lot of people signed without understanding what they were signing because the petitions were stated in a misleading manner.

When people asked for a copy of what they signed, they were told they couldn't get one. She is confident that when people understand what these are really about they will reject them.

**The motion passed 8 – 0 – 0.**

**12-R-07      A Resolution Of The Mayor And Council Of The City Of College Park, Maryland Establishing A Farmers Market Committee**

**A motion was made by Councilmember Stullich and seconded by Councilmember Afzali to adopt Resolution 12-R-07 establishing a Farmers Market Committee.**

Councilmember Stullich said having a second farmers market on Sunday provides an additional option for residents, farmers and students and will help promote vitality in the downtown area. Some people are interested in having this market have a broader array of vendors and having a committee will help to make that happen.

**Comments from the audience:**

**Dave Dorsch, 4607 Calvert Road:** Wants to make sure this farmers market does not compete with the one we've had for many years.

**The motion passed 8 – 0 – 0.**

**12-R-08      A Resolution of the Mayor and Council of the City of College Park, Maryland to designate the municipal boundaries of the City of College Park as a Sustainable Community, pursuant to the attached Sustainable Community map (and Sustainable Community Plan) as further described in the Sustainable Community Application, for approval either directly by the Department of Housing and Community Development of the State of Maryland or through the Smart Growth Subcabinet of the State of Maryland.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Catlin that the Mayor and Council approve Resolution 12-R-08 endorsing the designation of the area within the municipal boundaries of the City of College Park as a Sustainable Community and adopting a Sustainable Community Plan subject to approval by the State of Maryland through the Department of Housing and Community Development or the Smart Growth Subcabinet.**

Councilmember Wojahn said the US Route 1 corridor in the City of College Park was designated a Community Legacy Area in 2001 and since then has received over \$1.3 million in revitalization grants and loans from the State of Maryland. The Community Legacy program is now being phased out and will be known in the future as the Sustainable Communities program. Communities that want to continue to be eligible for state funding are required to submit a Sustainable Communities Application and Action Plan supported by the local jurisdiction. We

are proposing to expand the area under the Sustainable Communities program to the entire city and target the Route 1 corridor, the College Park Metro Station area and the Hollywood and Berwyn neighborhood commercial districts for revitalization assistance. The Sustainable Community Plan builds upon existing plans including the 2010 Central US 1 Sector Plan, the US 1 Visioning Session held in November 2011, the College Park Strategic Plan for 2010-2015 and the University District Vision Process currently underway.

There were no comments from the audience.

Councilmember Catlin said he hopes this turns out well for the City. In the past we have been hampered because not all areas of the City were eligible for state and county funding.

**The motion passed 8 – 0 – 0.**

## **12-G-52 Appointments To Boards and Committees**

A motion was made by Councilmember Stullich and seconded by Councilmember Mitchell to make the following appointments to the Sustainable Maryland Certified Green Team: James Jalandoni, MaryPIRG Sustainable U Coordinator, as a resident appointment; Elisa Vitale, City Staff representative appointment; Councilmembers Mitchell and Wojahn as the elected official appointments; Eric Maring as the UMD Staff/Faculty appointment; Rebecca Hayes, UMD Students for Clean Energy, as a student appointment; and Christine Nagle as a resident appointment; and also to appoint Rosemarie Green Colby to the Advisory Planning Commission. The motion passed 8 – 0 – 0.

**Council Comments:** None.

### **Comments from the Audience:**

**Mary Lou Miller, 4603 Knox Road:** She asked why the Council is so sure that the citizens of College Park are in favor of rent control, and if they are so sure, why are they afraid to put it to a vote? She believes it should be put to a vote.

**Dave Dorsch, 4607 Calvert Road:** Arbor Day is nice, but do not plant trees under the PEPCO rights-of-way. A few years ago the budget was \$12 million and now it is \$14 million. We should be going the other way and tighten our belts like everyone else. The voters should be able to vote every time the Council wants to raise taxes. We need to break the cycle that we need more and more money. Go back to basics and see if things can be done more economically.

**Jim Mullins, 5103 Kenesaw Street:** There was anger regarding the petitions. The landlords feel their livelihood is threatened but the Council reacts with anger when their budget is threatened by limitations on their income. The reason the petitions were turned in now is because of the lack of commitment from the Council to sunset the rent stabilization law. They had to be turned in because of a time limitation and there was no commitment to help the citizens

control their own destiny. Rather than anger we should recognize that we need to find a resolution so that everyone has a fair and reasonable ability to raise their budgets or to make a living and be able to protect their income and their property.

**John Hawvermale, 1342 Excalibur Lane, Sandy Spring, MD:** To some degree these petitions are the product of a relationship with the previous Mayor and Council and feeling shut out of any process of democracy. Previous Council told him, “If you don’t like what we’re doing then sue us.” Regarding the idea that the petitions were misleading: they were written by the attorney, not by the Prince George’s Property Owners Association. They were supposed to be written in a certain way to cover certain aspects of the law. He doesn’t know that the homestead tax credit would go away because it is administered by the state or the county; their attorneys have said it would not be impacted.

**Adjourn:** A motion was made by Councilmember Afzali and seconded by Councilmember Stullich to adjourn the regular meeting. Mayor Fellows adjourned the meeting at 8:29 p.m. with a vote of 8 – 0 – 0.

---

Janeen S. Miller, CMC  
City Clerk

Date  
Approved